

Remarks

Reconsideration of this patent application is respectfully requested, particularly as herein amended.

The Office Action of October 30, 2006, acknowledges receipt of the papers which have been submitted in furtherance of the claim of priority for this matter, and consideration of the Information Disclosure Statement submitted on August 2, 2006. The undersigned thanks the Examiner for these acknowledgements.

Claims 13 and 16 are rejected under 35 U.S.C. §112, first paragraph, because the claims are not considered to comply with the written description requirement.

Regarding claim 13, the Examiner questions how the attachment means can removably fix the instrument on the shank if the freely rotating member is overmolded onto the instrument. Referring to lines 29 to 33 of page 1 of the specification, the instrument is fixed in the head of the contra-angle by the attachment means, and referring to lines 23 to 27 of page 2, the rotating member is overmolded onto the instrument. The instrument can be removed by removal of the entire assembly from the contra-angle.

Regarding claim 16, the Examiner questions the term "equipment head" and what constitutes the "reusable part". Claim 16 no longer recites an "equipment head", and indicates that the contra-angle is the reusable part.

Accordingly, it is submitted that the rejection of claims 13 and 16 under 35 U.S.C. §112, first paragraph, has been suitably overcome.

Claims 11 to 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over a proposed combination of U.S. Patent No. 5,941,705 (Makris et al.) and U.S. Patent No. 6,293,795 (Johnson). Makris et al. is cited to show an angled endodontic handpiece having a head (23), a shank (12) and means (94/43) for attaching the shank to the head, a member (44) associated with the head which is free to rotate within the head and which is a pinion, and a blade portion which is fixedly assembled on the pinion.

However, referring to lines 18 to 22 of column 6 of Makris et al., the rotation pin 94 is provided to receive the bore 43 of the dental tool 12 to stabilize the tool and to provide reduced frictional torque support. Referring to lines 44 to 65 of column 5, a release collar 96 having an L-shaped catch 98 cooperates with the drive shaft 24 to removably secure the dental tool 12 to the head 23. As a consequence, it is submitted that the pin 94 and the bore 43 of Makris et al. are not properly characterized as the attachment means, and accordingly, that the rotating member 44 of Makris et al. is not located between the dental tool 12 and the attachment means 96, 98, as is presently recited in applicant's claim 11. Neither is such structure disclosed by Johnson.

Neither do Makris et al. or Johnson disclose an attachment means which is axially aligned with the shank, as is recited in newly presented dependent claim 19, or a rotatable member associated with the head which is axially aligned with the attachment means and the shank, as is recited in newly presented dependent claim 20.

It is, therefore, submitted that applicant's claims are not properly subject to rejection under 35 U.S.C. §103(a) as being unpatentable over the proposed combination of Makris et al. and Johnson, and that applicant's claims patentably distinguish the prior art.

Although not required by the Office Action, a substitute specification has been submitted for this patent application to make grammatical corrections resulting from translation of the original specification from French into English when steps were taken to enter the International Application on which the present U.S. patent application is based into its national stage, and to provide the specification with appropriate section headings. The specification has also been amended to describe the axial alignment between the shank, the attachment means, and the rotatable member which is shown in the originally-submitted drawing for this patent application.

A marked-up copy of the original specification showing the changes which have been made in the substitute specification has also been enclosed, on separate pages, in accordance with the

requirements of 37 C.F.R. §1.125(c). The substitute specification includes no new matter, and the entry of the enclosed substitute specification is therefore respectfully requested in accordance with 37 C.F.R. §1.125(b).

An amended Abstract has also been submitted for this patent application. The amended Abstract has been reproduced on a separate sheet enclosed with this Reply, in accordance with the requirements of 37 C.F.R. §1.72(b), and the entry of the amended Abstract is therefore respectfully requested.

In view of the foregoing, it is submitted that this patent application is in condition for allowance and corresponding action is earnestly solicited.

As a final matter, applicant further encloses an "Information Disclosure Statement" which is being submitted to inform the Patent Office of information cited in an Office Action issued by the Patent Office in connection with co-filed U.S. Patent Application No. 10/567,169, which had been brought to the attention of the Patent Office in applicant's Information Disclosure Statement filed August 2, 2006.

Because the enclosed Information Disclosure Statement is being filed after the mailing of a first Office Action on the merits, consideration of the enclosed Information Disclosure Statement is respectfully requested pursuant to 37 C.F.R. §1.97(c). The fee set forth in 37 C.F.R. §1.17(p) can be charged to the Deposit Account of the undersigned, No. 03-2405.

Corresponding action is earnestly solicited.

Respectfully submitted,



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